

BY REPRESENTATIVE RICHMOND

1 A CONCURRENT RESOLUTION

2 To urge and request the Judicial Council to study and make recommendations for inclusion

3 by the Supreme Court of Louisiana in the uniform rules of state court guidelines for

4 the qualifications and standards governing the use of interpreters in the courts for

5 non-English-speaking principal parties in interest, defendants, and witnesses in

6 proceedings before the court.

7 WHEREAS, Act No. 882 was enacted during the 2008 Regular Session of the

8 Legislature of Louisiana and requires that a judge appoint a competent interpreter to interpret

9 or to translate the proceedings to a principal party in interest or witness and to interpret or

10 translate his testimony in civil and criminal proceedings before a court; and

11 WHEREAS, on September 17, 2009, the Judiciary Committee of the Louisiana

12 House of Representatives held a meeting to study the effect of Act No. 882 of the 2008

13 Regular Session of the Legislature and received testimony from numerous witnesses; and

14 WHEREAS, these witnesses before the committee testified as to problems in the

15 court because of nonuniformity in the standards of the interpreters utilized by different

16 courts; and

17 WHEREAS, these witnesses before the committee recommended that standards

18 needed to be set regarding what constitutes a "competent interpreter" and that the Supreme

19 Court of the state of Louisiana should adopt uniform rules establishing a certification

1 procedure for interpreters as to what standards would be required to be accepted in a  
2 courtroom as an interpreter; and

3 WHEREAS, forty of the fifty states have joined the Consortium for State Court  
4 Interpreter Certification of the National Center for State Courts which was created and  
5 implemented in direct response to the Court Interpreters Act of 1978 and whose mission is  
6 to inspire and enable its members to promote equal access to justice in courts and tribunals  
7 by eliminating language barriers for persons with limited English proficiency; and

8 WHEREAS, the Consortium for State Court Interpreter Certification of the National  
9 Center for State Courts may be a good resource to be utilized by the council in considering  
10 standards for the courts of Louisiana; and

11 WHEREAS, Act No. 882 of the 2008 Regular Session of the Legislature requires the  
12 fees paid to interpreters be taxed by the court as court costs; and

13 WHEREAS, the model suggested by the National Center for State Courts would  
14 allow the state to apply to access federal funds to support state court interpreter programs  
15 in areas such as certification, training, and general support; and

16 WHEREAS, one of the purposes of the Judicial Council is to make continuous study  
17 of the organization of the courts, of the rules, procedures, and practices of the judicial system  
18 of the state, as well as of the work accomplished and the results attained by it, and of the  
19 uniformity of the exercise of discretionary power of the courts, to the end that procedure may  
20 be simplified, business expedited, and justice better administered.

21 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
22 urge and request the Judicial Council to study and make recommendations to the Supreme  
23 Court of Louisiana for inclusion in the uniform rules of state court guidelines for the  
24 qualifications and standards governing the use of interpreters in the courts for non-English-  
25 speaking principal parties in interest, defendants, and witnesses in proceedings before the  
26 court.

27 BE IT FURTHER RESOLVED that a copy of this Resolution be submitted to the  
28 Chief Justice of the Supreme Court of the state of Louisiana as member and chairperson of  
29 the Judicial Council.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Richmond

HCR No. 48

Requests the Judicial Council to study and make recommendations to the supreme court for inclusion in the uniform rules of state court guidelines for the qualifications and standards governing the use of interpreters in the courts for non-English-speaking principal parties in interest, defendants, and witnesses in proceedings before the court.